

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF GENERAL SERVICES**



**DETERMINATION AND FINDINGS
FOR
SOLE SOURCE PROCUREMENT**

Agency: Department of General Services

Caption: OCME's Histology Laboratory Reconfiguration at the Consolidated Forensic Laboratory (CFL)

Contractor: Whiting-Turner Contracting Co.

FINDINGS

1. AUTHORIZATION:

D.C. Code Section 2-354.04 and DCMR 47, Section 4718.

2. MINIMUM NEED:

The Department of General Services (DGS) and the Office of the Chief Medical Examiner (OCME) have an immediate need for a general contractor to perform construction services for the reconfiguration/redesign of the histology laboratory and specimen storage at the Consolidated Forensic Laboratory (CFL) located at 401 E St., SW, Washington, DC.

3. ESTIMATED FAIR AND REASONABLE PRICE:

The estimated fair and reasonable price is up to \$850,000.00

4. FACTS WHICH JUSTIFY A SOLE SOURCE PROCUREMENT:

In 2009 Whiting-Turner Contracting Co. (Whiting-Turner) was competitively awarded the general construction services contract for the new CFL, a \$210M state-of-the-art LEED Platinum project. As part of their original services, Whiting-Turner constructed all of OCME lab spaces at the new CFL, including the morgue/autopsy, toxicology, histology and lab support areas. Construction of the facility was completed in the summer of 2012 and OCME moved to the new CFL in October 2012. Post occupancy,

OCME identified a need to expand the histology laboratory function to support agency operational needs. Historically, OCME outsourced many of the histology lab functions to outside private entities whose reliability and responsiveness has become inconsistent, creating a liability for OCME and the District. This situation has prompted the District to plan and execute this laboratory reconfiguration to provide additional fume hoods (3), relocate existing hoods (2), reconfigure and add laboratory casework with all pertinent utility services (air, water, gas, nitrogen), additional sinks and a new high density storage system for storing tissues. The scope will also add additional control points to the building control system in support of the new equipment.

The scopes of services include, but are not limited to:

- Detailed coordination and planning with OCME staff to maintain operations
- Selective demolition within existing histology lab and specimen storage rooms
- Construct the reconfigured histology lab and specimen storage rooms
- Construct revisions for associated building systems including HVAC, lab drainage and building controls within the affected area(s) in compliance with applicable design standards, including safety

The CFL building is a complex laboratory facility with extensive HVAC, controls, drainage and safety systems. Being the General Contractor, Whiting-Turner has the knowledge of the facility building components, as-built conditions, drawings and specifications. Additionally, Whiting-Turner, its employees and subcontractors, has intimate knowledge of the CFL building infrastructure and systems, the OCME laboratory layout, and has established relationships with many of the specialized product vendors. For the original CFL project, the above ceiling coordination of the MEP trades in the lab areas was very challenging and required project specific solutions from Whiting-Turner, which will also be necessary for the above ceiling changes for this work.

Due to the challenging nature of the CFL laboratory construction during the original work, Whiting-Turner will utilize original management and field staff who are familiar with this area of the building and know where valves and other devices are located that require access for this new work. Also, service tie-ins for the new work, particularly for the laboratory waste system and specialty water and gas systems, is critical to not disrupting lab operations and Whiting-Turner has the understanding and experience with these CFL specific utility service systems to accomplish the shutdowns and tie-ins with minimal disruption and impact to lab operations. This knowledge of the CFL building will also translate to an accurate costing and scheduling of the work to minimize disruptions to OCME operations. Whiting-Turner also developed a strong relationship with OCME staff and is fully aware of, and understands, the operating and safety guidelines needed to be followed.

Based on the above, it is in the best interest of the District to allow Whiting-Turner, the original General Contractor for the CFL, to perform the required reconfiguration/redesign of the histology laboratory and specimen storage. This will ensure construction that will

comply with and complement standards, applicable safety codes, OCME operational workflow and work well with the other building systems.

5. CERTIFICATION BY THE DEPUTY DIRECTOR OF CAPITAL CONSTRUCTION SERVICES:

I hereby certify that the above findings are correct and complete.

Date

June Locker
Deputy Director
Capital Construction

6. CERTIFICATION BY THE MANAGER OF CONSTRUCTION SERVICES:

I have reviewed the above findings and certify that they are sufficient to justify the use of the single available source method of procurement under the cited authority. I certify that the notice of intent to award a sole source procurement action was published in accordance with 27 DCMR 4718 and that no response was received. I recommend that the Department of General Services, Director/ Chief Contracting Officer approve the use of the sole source procurement method for this proposed procurement action.

Date

James H. Marshall
Manager Construction Division
Contracts and Procurement

DETERMINATION

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under either Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code § 2-354.02 or 2-354.03). Accordingly, I determine that the District is justified in using the sole source method of procurement.

Date

Brian J. Hanlon
Director/Chief Contracting Office